

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TERRI PECHNER- JAMES and)
SONIA FERNANDEZ,)
)
Plaintiffs,)
)
v.)
)
CITY OF REVERE et. al.)
)
Defendants.)

Civil Action No.03cv12499-MLW

FOURTH DISCOVERY ORDER

SOROKIN, M. J.

March 3, 2006

Today the Court held a hearing pursuant to the February 17, 2006 Order on Sanctions.

1. Each Plaintiff affirmed her respective interrogatory answers under oath and each plaintiff signed the medical releases requested by the defendants.
2. The parties agreed upon dates for the plaintiffs' depositions between today and April 8, 2006; the parties and counsel are expected to adhere to those dates. Other than the completion of the plaintiffs depositions, no further fact discovery remains (unless plaintiffs seek leave to late file Requests for Admission at which time the Court will consider such a request).

3. Plaintiff Pechner-James agreed to produce her calenders sought by defendants. The Court Orders copies of this document produced separately to all defense counsel by Friday March 10, 2006 at 5:00 p.m.

4. Plaintiffs counsel agreed to serve all documents on both defense counsel, that agreement is an Order of the Court.

5. At the hearing, plaintiffs' counsel withdrew orally the plaintiffs' Motion for Certification under § 1292(b) (docket #s 108 and 109) accordingly the Clerk shall terminate this Motion as withdrawn.

6. Defense counsel will seek to find the Dr. Barry report and either produce it to plaintiffs or inform them they do not possess it.

7. Defense counsel shall bear the costs of obtaining medical records from the providers pursuant to the medical release forms. Defense counsel shall produce a copy of the records to plaintiffs' counsel promptly after receipt.

8. The parties will submit a proposed protective order governing the medical records.

9. The parties will also submit a proposed revised schedule for expert disclosure, expert discovery and summary judgment motions. The date for plaintiffs' expert disclosure(s) and report(s) shall be March 30, 2006.

10. The Motion for Reconsideration of Sanctions (Docket #120) is DENIED. Plaintiffs' counsel shall pay the ordered sanctions on or before March 31, 2006.

11. Plaintiffs' counsel clarified that his pending motion for summary judgment does apply to the individual officer defendants, accordingly, they need not respond to the motion.

13. The previously scheduled status conferences in March are cancelled. The Court will hold a further status conference on April 11, 2006 at 2:15 p.m.

/s/ LEO T. SOROKIN
Leo T. Sorokin
United States Magistrate Judge